

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1495 of 1997

with

CRIMINAL MISC.APPLICATION No 1494 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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NARESHKUMAR MOHANLAL PARIKH

Versus

SHAILESHKUMAR NAGINDAS THAKKAR

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Appearance:

1. Criminal Misc.Application No. 1495 of 1997  
MR MC SHAH for Petitioners  
MR YS LAKHANI for Respondent No. 1  
Mr M A Bukhari, APP for Respondent No. 2
2. Criminal Misc.ApplicationNo 1494 of 1997  
MR MC SHAH for Petitioners  
MR YS LAKHANI for Respondent No. 1  
Mr M A Bukhari, APP for Respondent No. 2

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CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 08/04/97

COMMON JUDGEMENT

Rule. Mr Y S Lakhani, learned Advocate waives service of Rule on behalf of respondent No.1.

Heard the learned Counsel for the parties. Without going into the merit of the case, Mr Lakhani, learned Advocate for the respondent No.1, on instructions of his client who is present in the court, submits that he is prepared to submit the complaint before the court having jurisdiction at Ahmedabad. In view of this, it is directed that the learned Judicial Magistrate First Class, Palanpur shall return the complaints being No. C.C. 5337/96 to the complainant-Shaileshkumar Nagindas Thakkar and complaint No.6167/96 to the complainant-Omprakash Nagindas Thakkar respectively for presentation before the appropriate court. This order will not prejudice either of the parties with respect to the merit of the case. This order is passed without prejudice to the rights and contentions of the parties before the trial court.

Rule made absolute to the aforesaid extent in each applications.

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m.s.p.